



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Jeff Kriz

Title:

TWO-TIER WIRELESS SYSTEM FOR DISTRIBUTED CONTROL/COMMUNICATION

Docket No.:

H16-17016 (256.012US1)

Serial No.: 08/941,963

Filed:

October 1, 1997

Due Date: May 21, 2001

Examiner:

Kwang B. Yao

Group Art Unit: 2664

Commissioner for Patents Washington, D.C. 20231

We are transmitting herewith the following attached items (as indicated with an "X"):

 $\underline{X}$  A return postcard.

 $\underline{X}$  An Amendment and Response (5 Pages).

Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional required fees or credit overpayment to Deposit Account No. 19-0743.

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<u>CERTIFICATE UNDER 37 CFR 1.8:</u> The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on this 07 day of May, 2001.

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(GENERAL)

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## **AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111**

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Applicant has reviewed the Office Action mailed on February 21, 2001. Applicant requests reconsideration of the rejections in light of the following remarks.

## **REMARKS**

Applicant has carefully reviewed and considered the Office Action mailed on February 21, 2001, and the references cited therewith.

Claims 1-3, 5-17, 26-35, and 39 remain pending in this application. Applicant traverses the rejections under §103 and requests reconsideration.

## Claims Patentable Under 35 U.S.C.§103

The differences between the subject matter sought to be patented in this application and the combinations of references are such that the subject matter as a whole would not have been obvious at the time the invention was made to a person having ordinary skill in the art. A *prima* facie case of obviousness has not been established because the combinations of references do not teach or suggest all the elements of the claims. See MPEP 2143.03. As discussed below:

- 1. Carvey does not teach or suggest both lower and higher power communication or a plurality of router nodes as recited directly and indirectly in claims 1-3, 5-11, 13-17, 26-28, 30, 33, and 39.
- 2. The combination Carvey/Graham does not teach or suggest a transceiver receiving both low power transmissions and high bandwidth transmissions as recited directly and indirectly in claims 31 and 32.
- 3. The combination Carvey/Hull does not teach or suggest a hardwired device or a transceiver receiving both low power transmissions and high bandwidth transmissions as recited directly and indirectly in claims 34 and 35.